

**PROFESSIONAL ENGINEERS SECTION MEETING
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND SURVEYORS
MINUTES OF OCTOBER 15, 2009**

PRESENT: Charles Kopplin, Martin Hanson, Daniel Sheldon and Steven Hook

STAFF PRESENT: Yolanda McGowan, Bureau Director; Peggy Wichmann, Legal Counsel;
and Michelle Solem, Bureau Assistant

CALL TO ORDER

Martin Hanson, Chair, called the meeting to order at 8:36 a.m. A quorum of 4 members was present.

AGENDA

Amendments to the Agenda:

- Add Item “G” under miscellaneous – Wisconsin issues Virginia Graeme Baker Act (VGBA) Professional Engineers
- Add discussion for a replacement public member for the screening panel

MOTION: Daniel Sheldon moved, seconded by Charles Kopplin, to approve the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES (AUGUST 18, 2009)

MOTION: Charles Kopplin moved, seconded by Steven Hook, to approve the Minutes of August 18, 2009 as published. Motion carried unanimously.

**ADMINISTRATIVE REPORT
YOLANDA MCGOWAN, BUREAU DIRECTOR**

Yolanda McGowan deferred to the administrative report offered at the A-E Joint Board meeting yesterday. She informed the Section that the Section will be getting replacement legal counsel at a time yet to be determined. We will have representation from another attorney in the interim.

Election of Officers

NOMINATION: Daniel Sheldon nominated the current slate of officers (Martin Hanson as Chairperson, Charles Kopplin as Vice-Chairperson and Daniel Sheldon as Secretary) for 2010 officers.

The Chair called for additional nominations three times.

The current slate of officers was re-elected for 2010.

The Chair appointed Steven Hook as the public member on the screening panel.

The Chair appointed Daniel Sheldon as the professional member on the screening panel

PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT

Building Systems General Corporation 07 ENG 003.

Attorney Angela Arrington presented the Proposed Stipulation, Final Decision and Order in the matter of Building Systems General Corporation, 07 ENG 003. Deliberation will be in closed session.

LEGISLATIVE/ADMINISTRATIVE RULES

Discussion of Legislation Regarding Continuing Education for Professional Engineers

Since language similar to the PDH language in the Professional Engineer rule was rejected by the Clearinghouse, Ms. McGowan suggested that this be better defined in the rule. Martin Hanson suggested that Mr. Kopplin work with Ms. McGowan to prepare a final draft of the continuing education rule for the Clearinghouse off-line and bring it back to the Section. Ms. Wichmann is in the process of finalizing several rules and her impending retirement limits the amount of time she will be able to spend on this rule. Mr. Kopplin asked the Ms. McGowan to send the draft to the Section members to review as soon as it becomes available with comments being sent to Ms. McGowan to be incorporated into the document for final review.

Update on Rule Draft Relating to Definition of Responsible Charge, Discipline for Failure to Respond

The Rules committee adopted this rule at the meeting on Tuesday. This rule will become effective 30 days after the date of publication.

Update on Final Rule for Electronic Signatures –DOA

This rule is moving forward at DOA. Mr. Hanson asked that Amy Moran return for the next meeting to update the Section on the status of this rule.

Discussion on Legislation Regarding Licensure as a Professional Engineer (AB 288)

Mr. Hanson represented the Section at the Committee on Labor and testified both orally and with written comments. There is potential for this legislation to go to the floor next week. There were 8 people that had filed comments (either written or oral) and all were in support of this legislation.

Discussion of the Elimination of the Grandfather Clause for Engineer Credentialing

This is included in AB 288 mentioned above.

Discussion Pertaining to Use of Certificates in A-E 2.02 (8) (b)

Mr. Kopplin asked the Architect Section to look at this rule and provide feedback. Ms. McGowan reported that the Architect Section did not see this as an issue and for that reason chose not to pursue a change in this rule at this time. Mr. Kopplin suggested that no further action is required for this item and it can be removed from future agendas.

CREDENTIALING

Appearance for a Class I Hearing – Gerald A. Zimmerlee

Gerald A. Zimmerlee appeared before the Section to provide additional information regarding the denial of his application for reinstatement of licensure as a professional engineer.

Appearance for a Class I Hearing – Alan Schmoll

Alan Schmoll appeared before the Section to provide additional information regarding the denial of his application for licensure as a professional engineer.

Appearance for a Class I Hearing – Haroon Khanzada

Haroon Khanzada appeared before the Section to provide additional information regarding the denial of his application for licensure as a professional engineer.

Appearance for a Class I Hearing – Eric D. Welch

Eric D. Welch canceled his appearance before the Section to provide additional information regarding the denial of his application for licensure as a professional engineer.

EDUCATION AND EXAMINATION

Mr. Kopplin asked that a standing agenda item for discussion surrounding the structural portion of the principals and practice exam be added. This exam will be a 2-day exam starting in 2011. Mr. Sheldon told the Section that this change will affect the contract with the proctoring agency. Mr. Hanson suggested that this item be included on the agenda for the next meeting so that the Department and the Section can provide input for the new test through NCEES. Mr. Kopplin offered to work with Ms. McGowan and the Division of Education and Exams to help them prepare for the discussion for the next Section meeting including information on how the proctoring agency will adjust to the new requirements.

TRAVEL

Ms. McGowan indicated that the travel report from Mr. Rusch has not yet been completed but will be distributed once that report is received by the Department. It was provided at the conclusion of the meeting.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

News Release: NCEES Approves PE Exam for Software Engineers.

There was a press release included in the Agenda for the Section to review related to NCEES approved PE Exam for Software Engineers. Mr. Sheldon indicated that this is a positive step due to different requirements for different engineering specialties.

Review Correspondence from NCEES regarding Evaluation of Distance Learning Programs

Noted for information only.

Review and Discuss Correspondence from the American Society Of Heating, Refrigeration and Air-Conditioning Engineers, Inc. (ASHREA) Related to Resolution on Additional Licensure Requirements

This Section has been on record in support of the Bachelors plus 30 (Bachelors Degree plus 30 credits) requirement before allowing applicants to sit for the Principals and Practices exam. An applicant having a Masters Degree is considered to have experience equivalent to one year as it relates to qualification of an applicant to sit for the exam. Engineers have differing opinions regarding to the amount of education that should be required for licensure.

Review and Discuss Correspondence Related to Virginia Graeme Baker Act (VGBA) Compliance

According to the correspondence, Wisconsin Department of Commerce has added several requirements for the Professional Engineers that are not required under VGBA. Ms. McGowan suggested and the Section agreed that the engineer and attorney who brought this question to the Section consider addressing this issue with the Wisconsin Department of Commerce since they are the entity promulgating the additional requirements.

PUBLIC COMMENTS

None.

CLOSED SESSION

MOTION: Daniel Sheldon moved, seconded by Charles Kopplin, to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s.19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.) Motion carried by roll call vote: Charles Kopplin-yes; Daniel Sheldon – yes; Steven Hook-yes; and Martin Hanson-yes.

Open Session recessed at 12:49 p.m.

RECONVENE TO OPEN SESSION

MOTION: Daniel Sheldon moved, seconded by Steven Hook, to reconvene into Open Session at 2:34 p.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON
IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

MONITORING

None.

**DELIBERATION ON PROPOSED STIPULATIONS OR ANY SIGNED AFTER
MAILING OF AGENDA**

**BUILDING SYSTEMS GENERAL CORPORATION
07 ENG 003**

MOTION: Daniel Sheldon moved, seconded by Steven Hook, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of Building Systems General Corporation, 07 ENG 003. Motion carried unanimously.

CASE CLOSINGS

06 ENG 002

MOTION: Daniel Sheldon moved, seconded by Steven Hook, to close case 06 ENG 002 for no violation. Motion carried unanimously.

DELIBERATION ON CLASS 1 HEARINGS

GERALD A. ZIMMERLEE

MOTION: Daniel Sheldon moved, seconded by Steven Hook, to grant reinstatement to Gerald A. Zimmerlee. Motion carried unanimously.

ALAN SCHMOLL

MOTION: Steven Hook moved, seconded by Charles Kopplin, to affirm previous decision to deny licensure to Alan Schmoll. Motion carried unanimously.

HAROON KHANZADA

MOTION: Charles Kopplin moved, seconded by Daniel Sheldon, to affirm previous decision to deny licensure to Haroon Khanzada. Motion carried unanimously.

DELIBERATION ON PETITION FOR REHEARING

None.

REINSTATEMENTS

MOTION: Steven Hook moved, seconded by Charles Kopplin, to approve Brian Todd Steinbrecher's application for reinstatement of a professional engineer credential. Motion carried.

MOTION: Charles Kopplin moved, seconded by Daniel Sheldon, to approve Minansu N. Patel's application for reinstatement of a professional engineer credential. Motion carried.

MOTION: Daniel Sheldon moved, seconded by Steven Hook, to approve Niranjana S. Shah's application for reinstatement of a professional engineer credential. Motion carried.

MOTION: Steven Hook moved, seconded by Charles Kopplin, to issue an Intent to Deny Ivars Vilcins' application for reinstatement of a professional engineer credential based on insufficient documentation of experience. Motion carried.

MOTION: Charles Kopplin moved, seconded by Steven Hook, to issue an Intent to Deny Robert Kluwin's application for reinstatement of a professional engineer credential based on failure to submit 3 references from professional engineers. Motion carried. Daniel Sheldon Abstained. The Section requested that a flag be placed on any credential issued.

APPLICATIONS REVIEWED ON OCTOBER 14, 2009

MOTION: Steven Hook moved, seconded by Daniel Sheldon, to act on the applications reviewed for today's meeting as reviewed and signed in the application files. Motion carried.

APPLICATIONS REVIEWED ON 10-14-2009

FOR REGISTRATION AS A PROFESSIONAL ENGINEER

1. By Approved Degree Plus 8 Years Experience

a. Granted

- | | |
|----------------------|----------------------|
| 1. Anderson, Arden A | 6. Pierce, Karl |
| 2. Brown, Douglas P | 7. Rogers, John C |
| 3. Decker, Mark J | 8. Schmalz, Steven C |
| 4. Harvie, John | 9. Schubert, Kevin |
| 5. Nickols, Joshua | |

b. Deny

- | | |
|--------------------|-----------------------|
| 1. Davis, Scott C | 5. King, Aaron M |
| 2. Feider, Jared J | 6. Knaflitz, Ellen M |
| 3. Hilbert, Jill A | 7. Krueger, Jeffrey E |
| 4. Khan, Ameer Ma | 8. Nordin, Nicholas R |

9. Simons, James L

10. Sternhagen, Melissa M

2. By 8 Hour Exam (Passed PE Exam)

a. Denied

1. Tesga, Atakilt

3. By 16 Hour Exam (Passed PE and FE Exam)

a. Granted

1. Peters, Mark E
2. Stansbury, Todd
3. Urness, Randall J

FOR PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

a. Granted

- | | |
|-------------------------|----------------------------------|
| 1. Degenaro, Nicholas J | 5. Sugiarto, Samuel |
| 2. Griesbach, David M | 6. Tiruchirapalli, Venketaramani |
| 3. Hockers, Shaun J | 7. Warner, Ty P |
| 4. Straseske, Anthony J | |

b. Denied

1. Stashak, Catherine

c. Intent to Deny

FOR CERTIFICATION AS AN ENGINEER-IN-TRAINING

a. Granted

- | | |
|---------------------|-----------------------|
| 1. Genchev, Rumen E | 3. Pal, Mukul |
| 2. Nigatu, Sara W | 4. Sonnenberg, Samuel |

ADJOURNMENT

MOTION: Steven Hook moved, seconded by Charles Kopplin, to adjourn the meeting at 2:40 p.m. Motion carried unanimously.